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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/720,412

11/24/2003

Mike Bowen

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04/28/2005

HEWLETT PACKARD COMPANY  
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INTELLECTUAL PROPERTY ADMINISTRATION  
FORT COLLINS, CO 80527-2400

EXAMINER

GHATT, DAVE A

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 04/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

X JK

<b>Office Action Summary</b>	<b>Application No.</b> 10/720,412	<b>Applicant(s)</b> BOWEN ET AL.	
	<b>Examiner</b> Dave A. Ghatt	<b>Art Unit</b> 2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 April 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) 17-20 and 40-43 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-11, 21-28 and 37-39 is/are allowed.
- 6) ☒ Claim(s) 12, 13 and 29-32 is/are rejected.
- 7) ☒ Claim(s) 14-16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/24/03</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Election/Restrictions*

1. Claims 17-20 and 40-43 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on April 11, 2005. Applicant's election without traverse of claims 1-16 and 21-39 is acknowledged.

2. This application contains claims 17-20 and 40-43 drawn to an invention nonelected without traverse (as noted above). A complete reply to a final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 12 is rejected under 35 U.S.C. 102(b) as being anticipated by Kramer et al. (US 5,046,433). Insofar as structure is recited, Kramer et al. teaches the claimed invention. As shown in Figure 4, Kramer et al. teaches an input tray 26 *for use with* a printer, the input tray comprising, a stationary portion shown generally at 12, a rotatable portion shown generally at 26,

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rotatably coupled with the stationary portion 12. Kramer et al. also teaches a track 57 partially maintained by each of the stationary portion 12 and the rotatable portion 26. As shown in Figure 4, and as outlined in column 5 lines 12-22, Kramer et al. teaches a length adjuster (pin 59) adapted to be slidably secured to the track 57. The applicant should note that this claim does not require a printer.

5. Claims 12, 13, 29, 30, 31, and 32 are rejected under 35 U.S.C. 102(b) as being anticipated by Shim (US 5,975,520). Insofar as structure is recited, shim teaches the claimed invention. As shown in Figures 1 and 2, Shim teaches an input tray for use with a printer, the input tray comprising, a stationary portion 10, a rotatable portion (20, 30) rotatably coupled with the stationary portion 10. Shim also teaches a track 21 partially maintained by each of the stationary portion 10 and the rotatable portion (20, 30). As shown in Figure 4, and as outlined in column 5 lines 12-22, Kramer et al. teaches a length adjuster (plug 13) adapted to be slidably secured to the track 21.

With respect to claim 13, as shown in Figures 1 and 2, Shim teaches the rotatable portion (20, 30) having a primary section 20 rotatably coupled with and extending from the stationary portion 10. Shim also teaches an extension section 30 selectively coupled to the primary section 20. As outlined in column 3 lines 42-46, the extension section 30 is adapted to move between a nominal position, in which the rotatable portion (20, 30) extends a first length from the stationary portion, and an extended position, in which the rotatable portion (20, 30) extends a second length from the stationary portion, the second length being greater than the first length.

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With respect to claim 29, Shim teaches an input tray *for use with* a print system, the input tray comprising a stationary portion 10 adapted to be coupled with the print mechanism, a rotatable portion (20, 30) rotatably coupled with and extending a first length from the stationary portion 10. Shim further teaches a media stop 30 adapted to facilitate maintenance of a media stack *at least partially* within the input tray. Shim also teaches means track 23a and 23b for selectively maintaining the media stop at a plurality of positions to facilitate maintenance of the media stack having one of a plurality of lengths, wherein the plurality of positions includes positions other than positions along the first length.

With respect to claims 30-32, the structure of Shim is capable of supporting stacks of the recited lengths. The applicant is also reminded that the media stack (including particular lengths of the media stack) is not required by this claim.

***Allowable Subject Matter***

6. Claims 1-11, 21-28, and 33-39 are allowed.

Claim 1 is allowed because the prior art of record does not teach or render obvious the total combination claimed, including a length adjuster slidably coupled with the rotatable portion, the length adjuster being adapted to move along an adjustable length, the adjustable length being greater than the first length of the rotatable portion.

Claim 21 is allowed because the prior art of record does not teach or render obvious the total combination claimed, including a length adjuster slidably coupled with the rotatable portion, the length adjuster being adapted to move along an adjustable length, the adjustable length being greater than the first length of the rotatable portion.

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Claim 33 is allowed because the prior art of record does not teach or render obvious the total combination claimed, including a length adjuster slidably coupled with the rotatable portion, the length adjuster being adapted to move along an adjustable length, the adjustable length being greater than the first length of the rotatable portion, the length adjuster including a secondary length adjuster.

Claim 37 is allowed because the prior art of record does not teach or render obvious the total method claimed, including the step of adjusting the position of the length adjuster along a track at least partially defined by the rotatable portion to facilitate maintenance of the print media stack having one of a plurality of lengths, wherein the length adjuster is adapted to be positioned anywhere along an adjustable length, the adjustable length being longer than the first length of the rotatable portion.

7. Claims 14-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 14 is indicated as having allowable subject matter because the prior art of record does not teach or render obvious the total combination claimed, including an extension section selectively coupled to the primary section, the extension section being adapted to move between a nominal position, in which the rotatable portion extends a first length from the stationary portion, wherein the track is at least partially defined by the extension section.

### ***Conclusion***


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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave A. Ghatt whose telephone number is (571) 272-2165. The examiner can normally be reached on Mondays through Friday 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DAG



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